

Attorney Docket No. 16842-739 (PELM 4241C1)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application	)	<u>PATENT APPLICATION</u>
	)	
Inventor(s): Woudenberg, et al.	)	
	)	Group Art Unit: 1807
Application No.: 08/752,973	)	
	)	Examiner: K. HORNICK
Filed: December 2, 1996	)	
	)	
Title: SYSTEM FOR REAL TIME	)	
DETECTION OF NUCLEIC ACID	)	
<u>AMPLIFICATION PRODUCTS</u>	)	

**RESPONSE TO OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This response addresses the issues raised in the Examiner's Office Action mailed June 30, 1997. Claims 13-23, 26-34, and 39-42 were reviewed by the Examiner and rejected under 35 U.S.C. § 103. Applicants respectfully request consideration of the above-referenced application in view of the following remarks.

The Examiner rejects all of the pending claims under 35 U.S.C. § 103 as being rendered obvious by the combination of Lee, et al. and Higuchi, et al. (1992). Applicants traverse the Examiner's position that the combination of Lee, et al. and Higuchi, et al. render the present invention obvious. Neither Lee, et al. nor Higuchi, et al. teach or suggest incorporating into an apparatus for monitoring amplification reactions in real time

a detection and analysis mechanism for receiving the first and second fluorescent signals from the fiber optic cable at a plurality of times, the detection and analysis mechanism measuring the intensities of the first and second fluorescent signals at the plurality of times and producing a plurality of corrected intensity signals, each corrected intensity signal corresponding to a